

## **OBTAINING A MARRIAGE LICENSE**

You may obtain a marriage license from the City Clerk's Office at the following address:

City Clerk's Office  
Somerville City Hall  
93 Highland Avenue  
Somerville, MA 02143  
(617) 625-6600 x4100  
<http://www.ci.somerville.ma.us>

The City Clerk's Office accepts marriage license applications Monday-Wednesday, 8:30 AM-4:00 PM, Thursday 8:30 AM-7:00 PM, and Friday 8:30 AM-12:00 Noon. The application process takes approximately 30 minutes to complete.

The fee is \$25.00. The City accepts checks, money orders or cash. Checks should be made payable to "City of Somerville."

If you have been divorced you do not have to file divorce papers, but your divorce must be final at the time of the application. In addition, you may not marry certain relatives, as follows: no man shall marry his mother, grandmother, daughter, granddaughter, sister, stepmother, grandfather's wife, grandson's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, brother's daughter, sister's daughter, father's sister or mother's sister, and no woman shall marry her father, grandfather, son, grandson, brother, stepfather, grandmother's husband, daughter's husband, granddaughter's husband, husband's grandfather, husband's son, husband's grandson, brother's son, sister's son, father's brother or mother's brother.

At the present time, the City can only issue marriage licenses to same-sex couples from out of state if you fill out the forms completely and indicate your intention to reside in Massachusetts, in an affidavit signed under the pains and penalties of perjury.

To apply for a marriage license, both applicants must appear together at the City Clerk's Office and bring the following:

- a photo ID for each applicant.
- the Social Security number for each applicant who has been issued one. Federal statutes require the collection of Social Security numbers at the time of application. You do not need to bring your Social Security Card; just have the number available.
- For each applicant under 18 years old, a Court Marriage of Minor Order must be obtained from the probate court or district court where the minor resides. The applicant must appear in court with his or her partner and his or her parent, and obtain a judge's permission to marry, before applying for the marriage license. For each such applicant, bring a certified birth record and the court order showing the judge's permission to marry.

There is no longer a requirement for a medical certificate, or any blood work.

Once the application for a marriage license is complete, the license will be issued 3 days later (licenses applied for Monday can be picked up Thursday; licenses applied for Friday can be picked up Monday). It can be picked up by anyone at the City Clerk's Office. Note that City Hall closes early on Fridays, so licenses should be picked up by 12:00 Noon.

If you want to waive the 3 day waiting period, you must bring an approved Court Petition for a Marriage Without Delay showing a judge's permission to waive the waiting period. The Middlesex County Probate Court is one court that issues these petitions, and is located at 208 Cambridge Street, Cambridge, 617-768-5850.

The license is valid for 60 days from the day you originally apply and may be used in any city or town within the state. The license cannot be used outside of the state.

A Priest, Minister, Rabbi or Justice of the Peace may perform the ceremony. A Justice of the Peace will not require witnesses to the ceremony. Some religions do require witnesses, so contact the person performing the ceremony to see if witnesses are necessary.

Out of State clergy may perform the ceremony in Massachusetts if an authorization has been obtained prior to the ceremony from the Secretary of State's Office (McCormack Building, Public Records Division, Department of the State Secretary, One Ashburton Place, Room 1701, Boston, 617-727-2836). The marriage license will not be registered unless the required authorization is enclosed with the license.

The person who performs the ceremony must complete and sign the license in black ink only, and return it to the city or town where it was issued. That city or town is the only place where the license will be registered.

## **INFORMATIONAL NOTICE FOR OUT-OF-STATE COUPLES**

Please be aware that if you are issued a certificate of marriage, it is possible that the Commonwealth of Massachusetts Registry of Vital Records and Statistics may refuse to accept and record the completed certificate if the Registry or another state entity determines that an impediment to your marriage exists in your state of residence.

At the present time, the City of Somerville can only issue marriage licenses to same-sex couples from out of state if you fill out the forms completely and indicate your intention to reside in Massachusetts, in an affidavit signed under the pains and penalties of perjury.

If an impediment to marriage exists in your state of residence, a substantial question exists as to whether the marriage will be legally recognized in Massachusetts or your state of residence, even if a certificate of marriage has been issued to you in Massachusetts.

If you have concerns regarding this information or the consequences thereof, you should consult with an attorney.